



Office of the Governor of Guam

P.O. Box 2950 Hagåtña, Guam 96932
TEL: (671) 472-8931 • FAX: (671) 477-4826 • EMAIL: governor@mail.gov.gu

Office of the People's Speaker
Vicente (Ben) C. Pangelinan

OCT 01 2004

TIME: 12:15 () AM (✓) PM
RECEIVED BY: [Signature]

Felix Perez Camacho
Governor

Kaleo Scott Moylan
Lieutenant Governor

01 OCT 2004
[Signature]

The Honorable Vicente C. Pangelinan
Speaker
Mina' Bente Siete Na Liheslaturan Guåhan
155 Hessler Street
Hagåtña, Guam 96910

Dear Mr. Speaker:

Transmitted herewith is Bill No. 376 (LS), "AN ACT MAKING APPROPRIATIONS FOR THE OPERATIONS OF THE EXECUTIVE, LEGISLATIVE, AND JUDICIAL BRANCHES OF THE GOVERNMENT OF GUAM FOR FISCAL YEAR ENDING SEPTEMBER 30, 2005, WHICH, TOGETHER WITH ANY OTHER GENERAL APPROPRIATIONS ACTS FOR FISCAL YEAR 2005 SHALL BE KNOWN AS THE 'GENERAL APPROPRIATIONS ACT OF 2005'," which I signed into law on October 1, 2004 as Public Law No. 27-107.

Sinseru yan Magåhet,

[Signature of Felix P. Camacho]

FELIX P. CAMACHO
I Maga' Låhen Guåhan
Governor of Guam

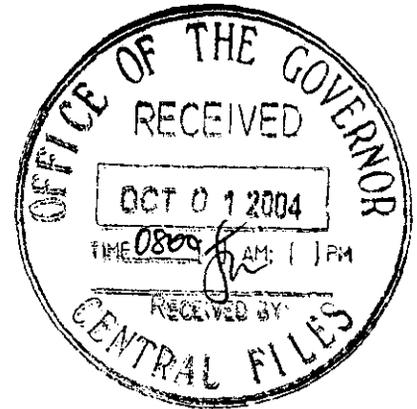
Attachment: copy attached of signed bill

cc: The Honorable Tina Rose Muna-Barnes
Senator and Legislative Secretary



MINA' BENTE SIETE NA LIHESLATURAN GUÅHAN
TWENTY-SEVENTH GUAM LEGISLATURE
155 Hessler Place, Hagåtña, Guam 96910

October 1, 2004



The Honorable Felix P. Camacho
I Maga'lalen Guåhan
Ufisinan I Maga'lahi
Hagåtña, Guam 96910

Dear *Maga'lahi* Camacho:

Transmitted herewith is Bill No. 376(LS) which was passed by *I Mina' Bente Siete Na Liheslaturan Guåhan* on October 1, 2004.

Sincerely,

TINA ROSE MUNA BARNES
Senator and Legislative Secretary

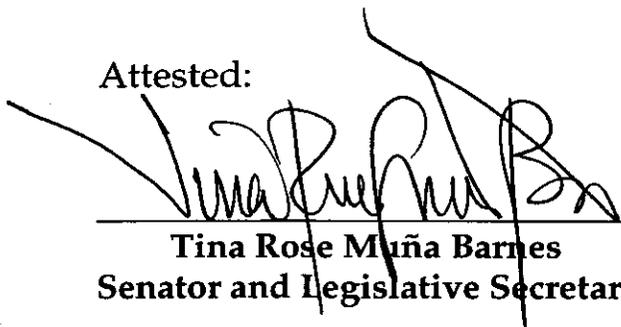
Enclosure (1)

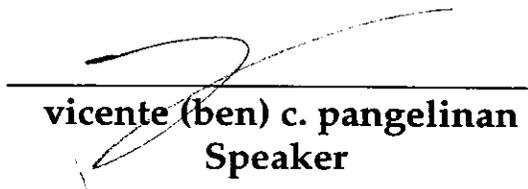
I MINA'BENTE SIETE NA LIHESLATURAN GUÅHAN
2004 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

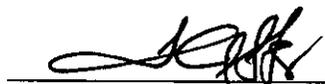
This is to certify that Bill No. 376 (LS), "AN ACT MAKING APPROPRIATIONS FOR THE OPERATIONS OF THE EXECUTIVE, LEGISLATIVE, AND JUDICIAL BRANCHES OF THE GOVERNMENT OF GUAM FOR FISCAL YEAR ENDING SEPTEMBER 30, 2005, WHICH, TOGETHER WITH ANY OTHER GENERAL APPROPRIATIONS ACTS FOR FISCAL YEAR 2005 SHALL BE KNOWN AS THE 'GENERAL APPROPRIATIONS ACT OF 2005'," was on the 1st day of October, 2004, duly and regularly passed.

Attested:


Tina Rose Muña Barnes
Senator and Legislative Secretary


vicente (ben) c. pangelinan
Speaker

This Act was received by I Maga'lahaen Guåhan this 1st day of October, 2004,
at 1:55 o'clock A.M.


Assistant Staff Officer
Maga'lahaen's Office

APPROVED:


FELIX P. CAMACHO
I Maga'lahaen Guåhan

Date: 10/1/04

Public Law No. 27-107

I MINA'BENTE SIETE NA LIHESLATURAN GUÅHAN
2004 (SECOND) Regular Session

Bill No. 376 (LS)

Introduced by: Committee on Appropriations and
Budgeting, General Governmental
Operations, Reorganization and Reform

AN ACT MAKING APPROPRIATIONS FOR THE
OPERATIONS OF THE EXECUTIVE, LEGISLATIVE, AND
JUDICIAL BRANCHES OF THE GOVERNMENT OF GUAM
FOR FISCAL YEAR ENDING SEPTEMBER 30, 2005, WHICH,
TOGETHER WITH ANY OTHER GENERAL
APPROPRIATIONS ACTS FOR FISCAL YEAR 2005 SHALL
BE KNOWN AS THE "GENERAL APPROPRIATIONS ACT
OF 2005".

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 TABLE OF CONTENTS

3	Section	Title	Page
4	1	Short Title	3
5	2	Appropriations for Fiscal Year 2005 to the University of	
6		Guam for Scholarships and Training Programs	3
7	3	Appropriations to the University of Guam	5
8	4	<i>Y Kuantan Salappe' Prinsepat</i> (Principal's Fund)	6
9	5	Appropriation to the Department of Administration	
10		for the Residential Treatment Fund	6
11	6	Appropriation to Unified Judiciary	7

1	7	Appropriation to <i>I Liheslaturan Guåhan</i>	7
2	8	Appropriation to Office of Finance and Budget	8
3	9	Appropriation to Office of the Public Auditor	8
4	10	Appropriations to Mayors Council of Guam	8
5	11	Guam State Clearinghouse Appropriation	9
6	12	Executive Appropriation	9
7	13	Appropriation to the Bureau of Budget and Management	
8		Research	10
9	14	Appropriation to the Bureau of Statistics and Plans	10
10	15	Appropriation to the Department of Administration	
11		for the Government Claims Fund	10
12	16	Appropriation to the University of Guam for	
13		KPRG (Public Radio)	11
14	17	General Fund Reversion	11
15	18	Authorization for Matching Requirements for Federal	
16		Grants-In-Aid	11
17	19	<i>I Maga'lahaen Guåhan</i> Transfer Authority	11
18	20	Transfer Authority Amendment	12
19	21	Department of Education Analysis	13
20	22	Severability	13

1 **Section 1. Short Title.** This Act together with any other general
2 appropriations acts for Fiscal Year 2005 shall be collectively known as the
3 *“General Appropriations Act of 2005”*. Except as otherwise provided by this
4 Act, the appropriations made by this Act shall be available to pay for
5 obligations incurred on or after October 1, 2004, *but no later* than September
6 30, 2005. Administrative and miscellaneous provisions directly governing
7 other general appropriations acts for Fiscal Year 2005 shall also govern this
8 Act unless otherwise specified herein. In the event that any appropriation of
9 this Act is found contrary to Federal law, all portions not so found shall
10 remain valid.

11 **Section 2. Appropriations for Fiscal Year 2005 to the University of**
12 **Guam for Scholarships and Training Programs.**

13 **(a) Student Scholarships, Financial Assistance Programs and**
14 **Program Administration.** The sum of Two Million Five Hundred Eleven
15 Thousand Dollars (**\$2,511,000.00**) is hereby appropriated from the General
16 Fund to the University of Guam for Fiscal Year 2005, to be expended for the
17 following student scholarships, financial assistance programs and program
18 administrations: Merit Awards, Student Loans, Nurse Training Programs,
19 Professional and Technical Awards, Reserve Officer Training Corps
20 (“ROTC”), Regent Scholarships, Marine Lab Graduates Assistance Programs,
21 Early High School Admission Programs, Pedro “Doc” Sanchez Scholarship
22 Programs, John F. Quan Memorial Scholarship Program and administration of
23 all student financial assistance programs.

1 The University of Guam shall determine the allocation of this
2 appropriation in order to fund the various student scholarships, financial
3 assistance programs and program administration.

4 **(b) Dr. Antonio C. Yamashita Educator Corps.** The sum of One
5 Million Nine Hundred Fifteen Thousand One Hundred Fifty Dollars
6 **(\$1,915,150.00)** is hereby appropriated from the General Fund to the
7 University of Guam for Fiscal Year 2005, which shall disburse the funds
8 pursuant to the directives and policies of the Educator Corps Council, for
9 stipends for the Dr. Antonio C. Yamashita Educator Corps and for the
10 administration of the Educator Corps Council, in accordance with the
11 provisions of Public Law 24-231, and §15107 of Title 17 of the Guam Code
12 Annotated, as *amended*.

13 **(c) Carryover of Lapses.** Notwithstanding any other provision of law
14 and in accordance with the provisions set forth in this Section and Chapter,
15 unexpended funds appropriated in prior fiscal years to the programs under
16 items (a) and (b) herein are available for the respective scholarship programs
17 for Fiscal Year 2005.

18 **(d) Transfer Authorization from Dr. Antonio C. Yamashita Educator**
19 **Corps.** The University of Guam is authorized to transfer up to Five Hundred
20 Thousand Dollars **(\$500,000.00)** of carryover funds from the Dr. Antonio C.
21 Yamashita Educator Corps to the University of Guam for its Fiscal Year 2005
22 faculty positions; provided, *however*, that no benefits to recipients in the Dr.
23 Antonio C. Yamashita Educator Corps are to be diminished; and provided
24 further that Seventy-five Thousand Dollars **(\$75,000.000)** of the transferred

1 amount shall be used for the Bachelor of Liberal Studies with Emphasis on
2 Women and Gender program.

3 **Section 3. Appropriations to the University of Guam.**

4 **(a) Appropriation for Aquaculture Development and Training Center.**

5 The sum of One Hundred Forty Thousand Dollars (\$140,000.00) is hereby
6 appropriated from the General Fund to the University of Guam ("UOG") for
7 the *sole* purpose of funding the continued operations of the Aquaculture
8 Development and Training Center. Such funds shall *not* be transferred or
9 used for any other purpose.

10 **(b) Appropriation for WERI's GHS.** The sum of Two Hundred Four
11 Thousand Two Hundred Dollars (\$204,200.00) is hereby appropriated from
12 the General Fund to the University of Guam ("UOG") to fund the Water and
13 Environmental Research Institute of the Western Pacific ("WERI") for the *sole*
14 purpose of funding the Guam Hydrologic Survey ("GHS"). WERI shall
15 continue to administer the GHS for the same purposes that have previously
16 been established by the laws of Guam. Such funds shall *not* be transferred or
17 used for any other purpose.

18 **(c) Appropriation for WERI's Comprehensive Water Resource**
19 **Monitoring Program.** The sum of One Hundred Seventy-three Thousand
20 Nine Hundred Forty-eight Dollars (\$173,948.00) is hereby appropriated from
21 the General Fund to the University of Guam ("UOG") to fund the Water and
22 Environmental Research Institute of the Western Pacific ("WERI"). Such
23 funds shall be used for the *sole* purpose of matching the Federal funding for
24 the Comprehensive Water Resource Monitoring Program. WERI shall
25 continue to administer the Comprehensive Water Resource Monitoring

1 Program for the same purposes that have previously been established by the
2 laws of Guam. Such funds shall *not* be transferred or used for any other
3 purpose.

4 **(d) Appropriation to the University of Guam College of Agriculture**
5 **and Liberal Sciences.** The sum of One Hundred Thousand Dollars
6 **(\$100,000.00)** is hereby appropriated from the General Fund to the University
7 of Guam College of Agriculture and Liberal Sciences, which shall be divided
8 equally between the Northern and Southern Soil and Water Conservation
9 Districts Program.

10 **Section 4. *Y Kuantan Salappe' Prinsepat (Principal's Fund).*** The sum
11 of Five Hundred Fifty-five Thousand Dollars **(\$555,000.00)** is hereby
12 appropriated from the General Fund to the Department of Education for the
13 Principal's Fund of which Fifteen Thousand Dollars **(\$15,000.00)** is allocated to
14 each school.

15 **Section 5. Appropriation to the Department of Administration for**
16 **the Residential Treatment Fund.** The sum of One Million Five Hundred
17 Twenty-four Thousand Five Hundred Fifty-three Dollars **(\$1,524,553.00)** is
18 hereby appropriated from the General Fund to the Department of
19 Administration ("DOA") to pay authorized expenses in Fiscal Year 2005 for
20 persons under the jurisdiction of the Superior Court of Guam for residential
21 care arising from physical, mental or emotional disabilities, or from severe
22 emotional disturbances. All patients and escorts referred off-Guam shall
23 submit to the Director of DOA supporting documents to justify their
24 authorized travel expenses.

1 **Section 6. Appropriation to Unified Judiciary.**

2 **(a)** The sum of Seven Hundred Thousand Dollars (**\$700,000.00**) is
3 hereby appropriated from the General Fund to the Unified Judiciary, for the
4 *sole* purpose of addressing court-appointed attorney fees related to the legal
5 defense of indigent people. Such funds shall be deposited into the Appointed
6 Counsel Trust Fund account, as stipulated in 7 GCA §22111 and shall *not* be
7 subject to any transfer authority.

8 **(b) Appropriation for Drug Courts.** The sum of Four Hundred Forty-
9 two Thousand Four Hundred Sixty Dollars (**\$442,460.00**) is hereby
10 appropriated from the General Fund to the Unified Judiciary for the purpose
11 of funding the Drug Courts as follows:

12 (1) The sum of Two Hundred Twenty Thousand Eight Hundred
13 Fifty-seven Dollars (**\$220,857.00**) for operational costs
14 associated with the Adult Drug Court.

15 (2) The sum of Two Hundred Twenty-one Thousand Six
16 Hundred Three Dollars (**\$221,603.00**) for operational costs
17 associated with the Juvenile Drug Court.

18 **Section 7. Appropriation to *I Liheslaturan Guåhan*.** The sum of Six
19 Million Nine Hundred Thirty-seven Thousand Six Hundred Ten Dollars
20 (**\$6,937,610.00**) is hereby appropriated from the General Fund to *I Liheslaturan*
21 *Guåhan* for its operations, including Personnel Services, for the period October
22 1, 2004, through September 30, 2005. The unexpended balance of sums
23 appropriated to *I Liheslaturan Guåhan* in Fiscal Year 2004 are available for use
24 in Fiscal Year 2005.

1 **Section 8. Appropriation to Office of Finance and Budget.** There is
2 hereby appropriated from the General Fund to *I Liheslaturan Guåhan*,
3 specifically for the Office of Finance and Budget (“OFB”), the sum of Five
4 Hundred Thirteen Thousand Three Hundred Thirty-four Dollars (**\$513,334.00**)
5 for operations, inclusive of Personnel Services, for the period October 1, 2004,
6 through September 30, 2005. The unexpended balance of sums appropriated
7 to the Office of Finance and Budget in Fiscal Year 2004 shall be available to
8 OFB to use in Fiscal Year 2005.

9 **Section 9. Appropriation to Office of the Public Auditor.**

10 **(a)** The sum of Eight Hundred Sixty-eight Thousand One Hundred
11 Thirty-two Dollars (**\$868,132.00**) is hereby appropriated from the General
12 Fund to the Office of the Public Auditor for its operations, inclusive of its
13 Personnel Services, for the period October 1, 2004, through September 30,
14 2005.

15 **(b)** Lapses in the Office of the Public Auditor Fiscal Year 2004 budget
16 shall *not* revert back to the General Fund, but shall be carried over into Fiscal
17 Year 2005 and subject to further appropriation by *I Liheslatura*.

18 **Section 10. Appropriations to Mayors Council of Guam.**

19 **(a)** The sum of Six Million Seven Hundred Fifty-six Thousand Three
20 Hundred Ten Dollars (**\$6,756,310.00**) is hereby appropriated from the General
21 Fund to the Mayors Council for Personnel Services, operations and utilities,
22 for the period October 1, 2004, through September 30, 2005, and for *prior* year
23 obligations.

1 (b) Lapses in the Mayors Council Fiscal Year 2004 budget and the
2 Municipal Fund shall *not* revert back to the General Fund, but shall be carried
3 over into Fiscal Year 2005 and subject to further appropriation by *I Liheslatura*.

4 **Section 11. Guam State Clearinghouse Appropriation.** The sum of
5 Three Hundred Twenty-five Thousand Dollars (\$325,000.00) is hereby
6 appropriated from the General Fund to the Guam State Clearinghouse for
7 Fiscal Year 2005.

8 **Section 12. Executive Appropriation.** The sum of Four Million Four
9 Hundred Seventy-eight Thousand Ninety Dollars (\$4,478,090.00) is hereby
10 appropriated from the General Fund which shall be allocated as follows:

11 **(a) Office of *I Maga'lahaen Guåhan* Appropriation.** The sum of Two
12 Million Seven Hundred Fourteen Thousand Six Hundred Sixty-three Dollars
13 (\$2,714,663.00) for the Office of *I Maga'lahaen Guåhan* for its operations,
14 inclusive of Personnel Services, for the period October 1, 2004, through
15 September 30, 2005.

16 **(b) Medical Referral Offices.** The sum of Six Hundred Thousand
17 Dollars (\$600,000.00) for the Medical Referral Offices and their operations
18 located in Los Angeles, California; Hawaii; and the Philippines.

19 **(c) Office of *I Segundu Na Maga'lahaen Guåhan*.** The sum of One
20 Million One Hundred Sixty-three Thousand Four Hundred Twenty-seven
21 Dollars (\$1,163,427.00) for the Office of *I Segundu na Maga'lahaen Guåhan* for its
22 operations, inclusive of Personnel Services, for the period October 1, 2004,
23 through September 30, 2005.

1 (d) **Carryover of Lapses.** The unexpended balance of the sums
2 appropriated to the offices of *I Maga'lahaen Guåhan* and *I Segundu na Maga'lahaen*
3 *Guåhan* in Fiscal Year 2004 are available for use in Fiscal Year 2005.

4 **Section 13. Appropriation to the Bureau of Budget and Management**
5 **Research.** The sum of One Million Two Hundred Twenty-three Thousand
6 Seven Hundred Five Dollars (\$1,223,705.00) is hereby appropriated from the
7 General Fund to the Bureau of Budget and Management Research for its Fiscal
8 Year 2005 operations, inclusive of its Personnel Services.

9 **Section 14. Appropriation to the Bureau of Statistics and Plans. (a)**
10 The sum of Nine Hundred Eighty-five Thousand Three Hundred Thirty-two
11 Dollars (\$985,332.00) is hereby appropriated from the General Fund to the
12 Bureau of Statistics and Plans for its Fiscal Year 2005 operations, inclusive of
13 Personnel Services.

14 (b) The sum of Eighty-five Thousand Dollars (\$85,000.00) is hereby
15 appropriated from the General Fund to the Bureau of Statistics and Plans for
16 the *specific* purpose of recruiting a Chief Economist and to fund necessary
17 related operations after recruitment.

18 **Section 15. Appropriation to the Department of Administration for**
19 **the Government Claims Fund.**

20 (a) The sum of Five Hundred Thousand Dollars (\$500,000.00) is
21 hereby appropriated from the General Fund to the Government Claims Fund
22 under the Department of Administration for the payment of eligible and
23 approved Government Claims based on tort.

24 (b) The Director of the Department of Administration shall, *no later*
25 *than* forty-five (45) days after the close of each quarter of the fiscal year,

1 submit to the Speaker of *I Liheslaturan Guåhan* a full disclosure of all
2 expenditures of said funds of this appropriation.

3 **Section 16. Appropriation to the University of Guam for KPRG**
4 **(Public Radio).** The sum of One Hundred Thousand Dollars (\$100,000.00) is
5 hereby appropriated from the General Fund to the University of Guam for
6 KPRG (Public Radio) for Fiscal Year 2005 operations. This appropriation shall
7 *not* be used for *prior* years obligations.

8 **Section 17. General Fund Reversion.** All unexpended or
9 unencumbered appropriations made from the General Fund pursuant to this
10 Act, *unless* otherwise provided for Fiscal Year 2005, shall *revert* to the General
11 Fund on the last day of that fiscal year.

12 **Section 18. Authorization for Matching Requirements for Federal**
13 **Grants-In-Aid.** Notwithstanding any other provision of law, departments are
14 authorized to expend funds appropriated in this Act for matching
15 requirements of Federal grants.

16 **Section 19. *I Maga'lahen Guåhan* Transfer Authority.** Except as
17 otherwise provided in this Act, *I Maga'lahen Guåhan* is hereby authorized to
18 transfer *not more than* fifteen percent (15%) of funds appropriated to the
19 Executive Branch by this Act within an agency, or between agencies of the
20 Executive Branch. *No* transfer shall occur from Operations into the Personnel
21 Services category. This transfer authority shall *not* be applicable to funds
22 allocated to the Unified Judiciary of Guam, *I Liheslaturan Guåhan*, the
23 University of Guam, the Guam Community College, the Office of the
24 Attorney General, the Office of the Public Auditor, the Guam Police

1 Department, Guam Memorial Hospital, Mayors Council, the Department of
2 Education and Federal funds.

3 *I Maga'lahren Guåhan* shall submit a report to the Speaker of *I Liheslaturan*
4 *Guåhan* on the fifth (5th) day of every month subsequent to the enactment of
5 this Act on the application of the provisions contained herein. Such report
6 shall include detailed information on the source and amount of such transfers
7 and the agency receiving such funds.

8 **Section 20. Transfer Authority Amendment.** Section 5 of Chapter VII
9 of the Public Law that results from the overridden Bill 363 (LS) is hereby
10 *amended* to read as follows:

11 *"I Maga'lahren Guåhan Transfer Authority.* Except as otherwise
12 provided in this Act, *I Maga'lahren Guåhan* is hereby authorized to
13 transfer *not more than* fifteen percent (15%) of funds appropriated to the
14 Executive Branch by this Act within an agency, or between agencies of
15 the Executive Branch. *No* transfer shall occur from Operations into the
16 Personnel Services category. This transfer authority shall *not* be
17 applicable to funds allocated to the Unified Judiciary of Guam, *I*
18 *Liheslaturan Guåhan*, the University of Guam, the Guam Community
19 College, the Office of the Attorney General, the Office of the Public
20 Auditor, the Guam Police Department, Guam Memorial Hospital,
21 Mayors Council, the Department of Education and Federal funds.

22 *I Maga'lahren Guåhan* shall submit a report to the Speaker of *I*
23 *Liheslaturan Guåhan* on the fifth (5th) day of every month subsequent to
24 the enactment of this Act on the application of the provisions contained

1 herein. Such report shall include detailed information on the source and
2 amount of such transfers and the agency receiving such funds.”

3 **Section 21. Department of Education Analysis.** §3103(n) of Chapter 3,
4 Division 2 of Title 17, Guam Code Annotated as *amended* by the Public Law
5 that results from the overridden Bill 363 (LS) on September 30, 2004, to read as
6 follows:

7 “§3103(n) prepare a feasibility/impact/cost savings analysis for
8 the Guam Education Policy Board recommending the potential
9 privatization of existing services for the Department of Education.”

10 **Section 22. Severability.** *If* any provision of this Act or its application
11 to any person or circumstances is held invalid, the invalidity shall *not* affect
12 other provisions or applications of this Act which can be given effect without
13 the invalid provision or application, and to this end the provisions of this Act
14 are severable.